

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, : CIVIL ACTION

Plaintiff, :

v. : NO. 16-5696

MAXCENE SPENCE, :

Defendant.

**SCHEDULING ORDER**

AND NOW, this 8<sup>th</sup> day of March, 2016, after conducting a status conference with counsel for the parties, the Court enters the following SCHEDULING ORDER:

- 1) All fact and expert discovery shall be completed by April 28, 2017;<sup>1</sup>
- 2) Any dispositive motions shall be filed no later than May 30, 2017;
- 3) Opposition to dispositive motions shall be filed no later than June 20, 2017;
- 4) A Pretrial Stipulation, signed by all counsel, shall be filed no later than July 11, 2017,  
with courtesy copies delivered to chambers on the date of filing (See Standing Order Re Pretrial Stipulation included with this Order);
- 5) All motions in limine shall be filed no later than July 25, 2017;
- 6) Responses to motions in limine shall be filed no later than August 8, 2017;
- 7) A final pretrial conference shall be held on August 25, 2017 at 9:00 A.M., in Room 4001,

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<sup>1</sup> Should *both* parties wish to extend any discovery deadlines (fact and/or expert) *without extending any other deadlines* (including the settlement conference) set forth in this Scheduling Order, the parties may agree to do so without seeking leave of the Court.

U.S. Courthouse, 601 Market Street, Philadelphia, Pennsylvania.

- 8) A jury trial shall commence before this Court on September 5, 2017 at 9:30 A.M., with the selection of a jury at the James A. Byrne United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania. Opening arguments shall immediately proceed after selection of a jury.

This Order shall serve as a formal attachment for trial.

BY THE COURT:

/s/ Marilyn Heffley

MARILYN HEFFLEY

UNITED STATES MAGISTRATE JUDGE

JUDGE HEFFLEY'S STANDING ORDER RE PRETRIAL STIPULATION

(JURY TRIAL)

In lieu of pretrial memoranda or a Final Pretrial Order, under Local Rules 16.1(d)(1) and (2), a Pretrial Stipulation shall be submitted, containing the following:

1. Agreed upon facts. A conscientious effort should be made to narrow the areas of dispute.
2. Each party's disputed facts.
3. Each party's exhibits, as marked for trial. (Any objections to authenticity should be noted or will be considered waived. Exhibits shall be provided to the Court in the form of two, jointly prepared, loose leaf Exhibit Books, each separately numbering Joint Exhibits, Plaintiff's Exhibits, and Defendant's Exhibits, including a schedule of Exhibits which shall briefly describe each Exhibit.)
4. Each party's witnesses and the subject matter of each witness's testimony.
5. Unusual issues - contentions and authority.
6. Proposed voir dire questions, requests for jury instructions, and a proposed jury verdict form. Counsel shall make a good faith effort to agree upon as many of these items as possible. (THESE ITEMS ARE TO BE SUBMITTED ON DISK IN WORD FORMAT AS WELL AS IN HARD COPY.)
7. The signed approval of trial counsel for each party.

IT SHALL BE THE RESPONSIBILITY OF PLAINTIFFS' COUNSEL TO CIRCULATE A DRAFT OF THIS PRETRIAL STIPULATION AT LEAST ONE WEEK BEFORE IT IS DUE.